

**STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS MEETING  
MONDAY, NOVEMBER 21, 2011, 10:00 A.M.  
INDIANA GOVERNMENT CENTER SOUTH,  
402 W. WASHINGTON STREET, ROOM W064  
INDIANAPOLIS, IN 46204**

**MINUTES OF THE MEETING**

**BOARD MEMBERS PRESENT:**

David Demuth, President  
Diane Weisheit, Vice President  
Gary Odell  
Joseph Barsic  
Dr. Rebecca Bushong

**BOARD MEMBERS ABSENT:**

Diana Bonn

**STATE OFFICIALS PRESENT:**

Tracy Hicks, Board Director  
Rae Harmon, Assistant Director  
Philip Thompson, Deputy Attorney General

**MINUTES TRANSCRIBED AND  
COMPILED BY:**

Tracy Hicks, Board Director

**MINUTE 11-124**

**CALL TO ORDER AND ESTABLISHMENT OF QUORUM**

The committee meeting was called to order at 10:00 a.m. by D. Demuth pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting.

**MINUTE 11-125**

**ADOPTION OF THE AGENDA**

D. Weisheit moved to adopt the agenda as amended. R. Bushong seconded the motion. Motion carried.

**MINUTE 11-126**

**ADOPTION OF THE MINUTES OF THE SEPTEMBER 19, 2011 MEETING OF THE STATE BOARD OF  
COSMETOLOGY AND BARBER EXAMINERS**

D. Weisheit moved to approve the minutes of the September 19, 2011 meeting of the State Board of Cosmetology and Barber Examiners as amended. R. Bushong seconded the motion. Motion carried.

**MINUTE 11-127**

**OFFICE OF THE ATTORNEY GENERAL COMPLAINTS REPORT**

Natalie Stidd presented a written report of consumer complaints from the Office of the Attorney General. They will try to present statistics at every board meeting. The Board noted more complaints were closed in 2011 compared to 2010. Natalie indicated that they had a new case analyst in 2011 that affected the statistics. When the new hire came in, she was able to work more quickly. The new hire was an addition to the agency rather than replacing someone. There is generally less evidence presented in a cosmetology complaint which makes it harder to file charges on. Dr. Bushong inquired about an older case in 2008. Natalie will look into it and report back to the board at the next meeting.

**MINUTE 11-128**

**ADMINISTRATIVE HEARING IN THE MATTER OF CUTTING LOOSE & CURLING UP, SBCBE 11-55**

D. Weisheit moved to issue a notice of proposed default in the matter of Cutting Loose & Curling Up, BS30300214, SBCBE 11-55. R. Bushong seconded the motion. Motion carried.

**MINUTE 11-129**

**ADMINISTRATIVE HEARING IN THE MATTER OF STUDIO ONE, BS30500156, SBCBE 11-71**

D. Weisheit moved to issue a notice of proposed default in the matter of Studio One, BS30500156, SBCBE 11-71. R. Bushong seconded the motion. Motion carried.

**MINUTE 11-130**

**ADMINISTRATIVE HEARING IN THE MATTER OF KATHRYN J. DOANE, BC29301456, SBCBE 11-72**

D. Demuth approve the Motion for Continuance in the matter of Kathryn J. Doane, BC29301456, SBCBE 11-72.

**MINUTE 11-131**

**ADMINISTRATIVE HEARING IN THE MATTER OF CHRIS WALKER, BA09100060, SBCBE 11-75**

D. Weisheit moved to issue a notice of proposed default in the matter of Chris Walker, BA09100060, SBCBE 11-75. R. Bushong seconded the motion. Motion carried.

**MINUTE 11-132**

**ADMINISTRATIVE HEARING IN THE MATTER OF DAVID WILLIAMS, BA10600102, SBCBE 11-62**

D. Weisheit moved to issue a notice of proposed default in the matter of David Williams, BA10600102, SBCBE 11-62. R. Bushong seconded the motion. Motion carried.

**MINUTE 11-133**

**ADMINISTRATIVE HEARING IN THE MATTER OF CORTLAND T. FOXWORTH, BC20601424, SBCBE 10-25**

D. Weisheit moved to withdraw the probationary status in the matter of Cortland T. Foxworth, BC20601424, SBCBE 10-25. R. Bushong seconded the motion. Motion carried.

**MINUTE 11-134**

**ADMINISTRATIVE HEARING IN THE MATTER OF CARL R. LOWRY, BA00167175, SBCE 02-10**

D. Weisheit moved to deny the request for withdraw of probation in the matter of Carl R. Lowry, BA00167175, SBCE 02-10 until all fines are paid. R. Bushong seconded the motion. Motion carried.

**MINUTE 11-135**

**ADMINISTRATIVE HEARING IN THE MATTER OF LASHANDA UPCHURCH, BC29500916, SBCE 07-41**

D. Weisheit moved to issue a notice of proposed default in the matter of Lashanda Upchurch, BC29500916, SBCE 07-41. R. Bushong seconded the motion. Motion carried.

**MINUTE 11-136**

**ADMINISTRATIVE HEARING IN THE MATTER OF THANH L. VU, MA29601776, SBCE 08-37**

D. Weisheit moved to withdraw the probationary status in the matter of Thanh L. Vu, MA29601776, SBCE 08-37. R. Bushong seconded the motion. Motion carried.

**MINUTE 11-137**

**PERSONAL APPEARANCES**

1. Hoang M. Do, MA20300511, SBCE 07-55 – Failed to appear. Issue Order to Show Cause
2. Nail Expo, MS30500736SBCE 08-17 - Appeared

3. Lovely Nails, MS30600511, SBCE 08-27 - Appeared
4. Today's Nails/Tan, MS30400706, SBCE 09-02 - Appeared
5. Qui c. Lam, MA29801186, SBCE 09-03 - Appeared
6. Rose Nails, MS30600328, SBCE 10-15 - Appeared
7. Nails II, MS30000881, SBCBE 10-55 - Appeared

#### **MINUTE 11-138**

#### **PERSONAL APPEARANCES AND CONSIDERATION OF APPLICATION FOR LICENSE RENEWAL**

1. Kenneth W. Floyd Jr., BA10800034 – Failed to appear. D. Weisheit moved to deny the application for renewal. R. Bushong seconded the motion. Motion carried.
2. Jerry E. Davis, BA10700093 – Failed to appear. D. Weisheit moved to deny the application for renewal. R. Bushong seconded the motion. Motion carried.
3. Stephanie Stedry, BC20806697 – R. Bushong moved to approve the application for renewal and place the license on indefinite probation with no right to petition for withdraw of probation until the criminal probation is successfully completed. D. Weisheit seconded the motion. Motion carried.
4. Tybrus Nelson, BA10700125 - R. Bushong moved to approve the application for renewal and place the license on indefinite probation with no right to petition for withdraw of probation until released from prison and criminal probation is successfully completed. D. Weisheit seconded the motion. Motion carried.
5. Kevin Jones, BA10000250 - R. Bushong moved to approve the application for renewal and place the license on indefinite probation after passing the examination with no right to petition for withdraw of probation until criminal probation is successfully completed. D. Weisheit seconded the motion. Motion carried.
6. Karen's Outback Beauty Salon, BS30000007 – R. Bushong moved to renew the license. G. Odell seconded the motion. Motion carried.
7. Rumors Hair & Tanning Salon, TB50100124 - R. Bushong moved to renew the license. D. Weisheit seconded the motion. Motion carried.
8. Victoria Sampson, BC09101460 - R. Bushong moved to renew the license. G. Odell seconded the motion. Motion carried.
9. Richard Dan Van, MA29701428 – The application for renewal was tabled pending proof richard Dan Van was not the owner of Avis Nails, MS39600909.

#### **MINUTE 11-139**

#### **CONSIDERATION OF PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

D. Weisheit moved to accept the Proposed Findings of Fact, Conclusions of Law and Order in the matter of 5 Star Nails, MS30400149, SBCBE 11-38. R. Bushong seconded the motion. Motion carried.

#### **MINUTE 11-140**

#### **CONSIDERATION OF PROPOSED RULES REGARDING MOBILE SALONS**

Gary O'Dell moved to approve the rule draft as amended to include barbering in the mobile salon rules. R. Bushong seconded the motion. Motion carried.

**MINUTE 11-141****CONSIDERATION OF ADMINISTRATIVE LAW JUDGE'S ORDERS**

D. Weisheit moved to affirm the Administrative Law Judge's Orders in the matter of Top Nails, SBCBE 11-43, Henry Hoang Bui, SBCBE 11-57, Samantha Soto Cornejo, SBCBE 11-58, and Cassandra Jeanette Smith, SBCBE 11-73. R. Bushong seconded the motion. Motion carried.

**MINUTE 11-142****CONSIDERATION OF ADMINISTRATIVE LAW JUDGE'S NOTICE OF PROPOSED DISMISSAL ORDERS**

D. Weisheit moved to issue a dismissal order in the matter of Belen Garcia Ramirez, SBCBE 11-56, Indiana Zapata, SBCBE 11-59, and Phuc Thi Bui, SBCBE 11-60. R. Bushong seconded the motion. Motion carried.

**MINUTE 11-143****REQUEST CANCELLATION OF COSMETOLOGY LICENSE IN THE MATTER OF SUNITA VERMA, BC20807778**

R. Bushong moved to deny the request to cancel the cosmetology license in the matter of Sunita Verma, BC20807778. G. O'Dell seconded the motion. Motion carried.

**MINUTE 11-144****REQUEST FOR ISSUANCE OF A COSMETOLOGIST LICENSE IN THE MATTER OF ASMA KHANOUSI**

D. Weisheit moved to approve the request for issuance of a cosmetology license in the matter of Asma Khanoussi. R. Bushong seconded the motion. Motion carried.

**MINUTE 11-145****CORRESPONDENCE REGARDING COSMETOLOGY SCHOOL CURRICULUM CHANGES**

The board indicated that curriculum changes should be made upon the effective date of a rule change. Students already enrolled in school at the time of a change in the education requirements need to meet the requirements in effect at the time of application for license.

**MINUTE 11-146****CONSIDERATION OF REQUESTS FOR WAIVER OF 820 IAC 4-1-5(d), COMPLETION OF EDUCATION WITHIN THREE YEARS OF ENROLLMENT**

R. Bushong moved to approve the requests for waiver of 820 IAC 4-1-5(d) and allow until December 31, 2012 to graduate from cosmetology school for the following individuals. D. Weisheit seconded the motion. Motion carried.

1. Pamela Adamson
2. Crystal Benefiel
3. Julia DeJarnett
4. Kathryn Karel
5. Kayla King
6. Amanda Miller
7. Rachael Nichols
8. Andrea Timm

**MINUTE 11-147****CONSIDERATION OF REQUESTS FOR WAIVER OF 820 IAC 2-2-3(b)**

R. Bushong moved to approve the request for waiver of 820 IAC 2-2-3(b) and allow three months to sit for the examination for the following individuals. D. Weisheit seconded the motion. Motion carried.

1. Ashley Adams
2. Aldranette Davis

3. Stephanie Lacy
4. Marian Stowe
5. Tami Whitt

#### **MINUTE 11-148**

#### **CONSIDERATION OF REQUESTS FOR WAIVER OF 820 IAC 2-2-3(b)**

R. Bushong moved to approve the request for waiver of 820 IAC 2-2-3(b) and allow three months to pass the examination for the following individuals. D. Weisheit seconded the motion. Motion carried.

1. Dana Bowers
2. Hayley Conley
3. Christine Jones
4. Misty Emerson Wattley
5. Doriana Palombino

#### **MINUTE 11-149**

#### **GRANTING OR DENYING PETITION FOR REVIEW AND APPOINTMENT OF ADMINISTRATIVE LAW JUDGE**

D. Weisheit moved to grant the petition for review and appoint D. Demuth as the Administrative Law Judge in the matter of the following. R. Bushong seconded the motion. Motion carried.

##### **A. Juana Colunga**

Re: Timely Petition for Review of Failed Cosmetology Examination

##### **B. Brittany Dean**

Re: Timely Petition for Review of Denied Application for Cosmetology License

D. Weisheit moved to deny the petition for review in the matter of Jodie N. Ha due to untimely filing. R. Bushong seconded the motion. Motion carried.

#### **MINUTE 11-150**

#### **APPLICATION COMMITTEE REPORT**

D. Weisheit moved to accept the following application committee report as follows. R. Bushong seconded the motion. Motion carried.

#### **COSMETOLOGY APPLICATIONS**

##### **A. By Examination:**

**Borem, Emily** – Approved on PROBATION with no right to petition for withdrawal of probation for a period of one year for dealing in methamphetamine, follow statues and rules.

**Doub, Sarah Elizabeth** – Denied, past one year to sit for examination, 820 IAC 2-2-3(b) and IC 25-8-9-3

**Durham, Alicia Marie** - Denied, past one year to sit for examination, 820 IAC 2-2-3(b) and IC 25-8-9-3

**Fullerton, Harley D.** - Approved on PROBATION with no right to petition for withdrawal of probation for a period of one year for burglary and armed robbery, follow statues and rules.

**Sykes, Nathan** – Approved on PROBATION with no right to petition for withdrawal of probation for a period of one year for theft, follow statues and rules.

**Timberlake, Kaci** - Approved on PROBATION with no right to petition for withdrawal of probation for a period of one year for dealing in cocaine, follow statues and rules.

**Watson, Sara Annette** – Tabled until next meeting

**B. By Reciprocity:**

**Nguyen, Tung Thi** – Denied, IC 25-8-4-2(a)(2)(b), does not have required education hours.

**C. By Provisional:**

**Castaneda, Silvia** - Approved

**Cho, Jihee** – Denied, IC 25-8-4-2.9(b)(1), not enough information for provisional license

**Hogeterp, Jennifer S.** - Denied, IC 25-8-4-2.9(b)(1), not enough information for provisional license

**Kubas, Wojciech** – Denied, IC 25-8-4-2.9(b)(1), education not equivalent

**Ortiz, Maura** - Approved

**MANICURIST APPLICATIONS**

**A. By Examination:**

**Duong, Grace Quynh Giao Thuy** – Denied, IC 25-8-9-3(1), under 18 years old at the time of application.

**Weatherly, Talarisha M.** - Approved on PROBATION with no right to petition for withdrawal of probation for a period of one year for dealing in cocaine, follow statues and rules

**B. By Reciprocity:**

**Bui, Anh Ngoc** – Denied, IC 25-8-4-2(a)(2), education not equivalent, attended a nail school

**Doan, Hoa Le** – Denied, IC 25-1-11-19(b)(1), Unlicensed practice

**Harris, Marla J.** – Denied, IC 25-8-4-2(a)(2), education not equivalent

**Nguyen, Mong-Tuyen T.** – Denied, incomplete application

**Vo, Pam Lon** – Denied, IC 25-8-4-2(a)(2), education not equivalent

**C. By Provisional:**

**Vuong, Ban Van** – Denied, IC 25-1-11-19(b)(1), Unlicensed practice

**ESTHETICIAN APPLICATION**

**A. By Examination:**

**Daily, Kyleigh Brooke** - Denied, past one year to sit for examination, 820 IAC 2-2-3(b) and IC 25-8-12.5-4

**B. By Reciprocity:**

**Davis, April Nicole** – Denied, Not enough education and work experience combined, IC 25-8-4-2(e) and IC 25-8-4-2(a)(2)

**Nugent, Kristy N.** – Denied, Not enough education and work experience combined, IC 25-8-4-2(e) and IC 25-8-4-2(a)(2)

**COSMETOLOGY INSTRUCTOR APPLICATIONS**

**A. By Reciprocity:**

**Avorio, Angela T.** – Denied, IC 25-8-4-2(a)(2), education not equivalent

**SALON APPLICATIONS**

**A. Manicurist Salon**

**Tip & Toe Nails LLC**, 1823 N Scatterfield Road, Anderson – Denied, IC 25-1-11-19(b)(1), Unlicensed practice

**B. Esthetic Salon**

**Art Nail**, 244 N Burkhardt Road, Evansville - Denied, IC 25-1-11-19(b)(1), Unlicensed practice

**5 Star Nails**, 10635 Pendleton Pike, Indianapolis – Approved on Probation

**BARBER APPLICATIONS**

**A. By Examination:**

**Chambers, Jason J.** – Approved

**Clay, David E.** - Approved

**Curtis, Geene** – Approved

**Jones, Dario** – Approved

**Palmer, Jason** – Denied, IC 25-1-11-9(a)(1)(B)

**BARBER SHOP APPLICATIONS**

**A. Barber Shop**

**Twins-D-Loves**, 1511 N Arlington Avenue, Indianapolis – Denied, Barber license of applicant was obtained fraudulently, IC 25-1-11-5(a)(1)

**AL a Vista's Bootleg Fancy**, 519 N Martin Street, Muncie - Tabled

**MINUTE 11-151**

**RAVENSCROFT BEAUTY COLLEGE**

The board discussed and gave opinion regarding the proposed cosmetology school floor plan for Ravenscroft Beauty College.

**MINUTE 11-152**

**ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at 5:35 p.m.

DATED: 1-9-12

  
\_\_\_\_\_  
DAVID DEMUTH, PRESIDENT

  
\_\_\_\_\_  
ATTEST BY:

TRACY HICKS, BOARD DIRECTOR